



January 31, 2002

HOUSE BILL No. 1315

DIGEST OF HB 1315 (Updated January 30, 2002 1:26 PM - DI 103)

Citations Affected: IC 8-1; noncode.

Synopsis: Universal telecommunications service. Permits the utility regulatory commission (IURC) to adopt rules to preserve and expand universal telecommunications service throughout Indiana. Provides that the rules adopted may: (1) designate certain telecommunications services as universal services that should be available in all regions of Indiana at just, reasonable, and comparable rates; (2) identify certain geographic areas in Indiana as underserved areas; and (3) be consistent with federal universal service regulations. Establishes a telecommunications universal service fund to provide financial assistance to telecommunications providers providing universal service to underserved areas.

Effective: July 1, 2002.

Liggett

January 15, 2002, read first time and referred to Committee on Commerce, Economic Development and Technology.
January 30, 2002, amended, reported — Do Pass.

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HB 1315—LS 7241/DI 101+



January 31, 2002

Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1315

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-2-128 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2002]: **Sec. 128. (a) As used in this section, "local exchange access**
4 **service" means telephone exchange access lines or channels that**
5 **provide local access to the local telecommunications network to**
6 **effect the transfer of information.**

7 **(b) As used in this chapter, "local exchange carrier" means a**
8 **telecommunications provider authorized by the commission to**
9 **provide, among other services, local exchange access service.**

10 **(c) As used in this section, "universal service" means local**
11 **exchange access service and other telecommunications services**
12 **designated by the commission under rules adopted under this**
13 **section as services that should be available to consumers in all**
14 **regions of Indiana at just, reasonable, and comparable rates.**

15 **(d) The commission may adopt rules under IC 4-22-2 to**
16 **preserve and expand universal service that is equitable and**
17 **nondiscriminatory.**

HB 1315—LS 7241/DI 101+



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(e) Rules adopted by the commission under this section may do the following:

(1) Designate certain telecommunications services as universal services that should be available to consumers in all regions of Indiana at just, reasonable, and comparable rates.

(2) Designate geographic areas in Indiana as underserved areas that lack access or have only limited access to telecommunications services.

(3) Be consistent with the Federal Communications Commission's rules and regulations on universal service.

(4) Provide a competitively and technologically neutral funding mechanism to operate in coordination with federal universal service support mechanisms.

SECTION 2. IC 8-1-2-129 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2002]: **Sec. 129. (a)** The telecommunications universal service fund is established for the purpose of providing funding for the provision of universal service throughout Indiana. The fund shall be administered by the commission.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 3. [EFFECTIVE JULY 1, 2002] **(a)** As used in this SECTION, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

(b) As used in this SECTION, "universal service" has the meaning set forth in IC 8-1-2-128(c), as added by this act.

(c) The commission may adopt rules under IC 4-22-2 to preserve and expand universal service that is equitable and nondiscriminatory, as required by IC 8-1-2-128(d), as added by this act, not later than June 30, 2003.

(d) This SECTION expires January 1, 2004.



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Economic Development and Technology, to which was referred House Bill 1315, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 15, delete "shall" and insert "**may**".

Page 2, line 1, delete "must" and insert "**may**".

Page 2, delete lines 6 through 13.

Page 2, line 14, delete "(4)" and insert "**(2)**".

Page 2, delete lines 15 through 21 and insert "**areas that lack access or have only limited access to telecommunications services.**".

Page 2, line 22, delete "(5)" and insert "**(3)**".

Page 2, line 24, delete "(6)" and insert "**(4)**".

Page 2, delete lines 27 through 29.

Page 3, line 7, delete "shall" and insert "**may**".

and when so amended that said bill do pass.

(Reference is to HB 1315 as introduced.)

FRY, Chair

Committee Vote: yeas 13, nays 0.

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